

FOR PUBLICATION

IN THE DISTRICT COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. THOMAS & JOHN

UNITED STATES DEPARTMENT OF)	
AGRICULTURE RURAL HOUSING)	
SERVICE f/k/a FARMERS HOME)	
ADMINISTRATION,)	Civil No. 2006-205
)	
Plaintiff,)	
)	
v.)	
)	
JULIE E. FALERO a/k/a JULIE FALERO,)	
a/k/a JULIE E. HARRIGAN, Deceased,)	
AUBREY HARRIGAN, MARIO HODGE, TASHA)	
HODGE, TANGENIQUE HODGE, RUDEL)	
HODGE, TANESHA HODGE a/k/a TENESHA)	
HODGE, all heirs, successors and)	
assigns, and all persons claiming a)	
lien, title, estate or interest in)	
and to 173-158 Estate Anna's)	
Retreat, St. Thomas,)	
)	
Defendants.)	
)	

ATTORNEYS:

Flavia E. Logie, Esq.
St. Croix, U.S.V.I.
For the plaintiff.

Aubrey Harrigan
Pro se defendant.

Mario Hodge
Pro se defendant.

Tasha Hodge
Pro se defendant.

Tangenique Hodge
Pro se defendant.

Rudel Hodge

Pro se defendant.

Tanesha Hodge a/k/a Tenesha Hodge

Pro se defendant.

ORDER

GÓMEZ, C.J.

Defendant Julie E. Falero a/k/a Julie Falero, a/k/a Julie E. Harrigan, Deceased ("Falero"), executed a number of notes, mortgages and agreements (collectively, the "Obligations") with plaintiff the United States Department of Agriculture Rural Housing Service f/k/a Farmers Home Administration (the "Plaintiff"). The Obligations were secured by property owned by Falero known as Parcel No. 173-158 Estate Anna's Retreat, No. 1 New Quarter, St. Thomas, U.S. Virgin Islands (the "Property").

On or about April 19, 1996, Falero died, leaving behind her surviving spouse, *pro se* defendant Aubrey Harrigan, and the other named *pro se* defendants in this matter, Mario Hodge, Tasha Hodge, Tangenique Hodge, Rudel Hodge, and Tanesha Hodge a/k/a Tenesha Hodge (collectively, the "Named Defendants").

The Plaintiff brought this debt and foreclosure action in November, 2006, alleging that Falero had defaulted on her payments under the Obligations. In addition to the Named

Defendants, the Plaintiff brought this action against "all heirs, successors and assigns, and all persons claiming a lien, title, estate or interest" in the Property.

On May 10, 2007, on the Plaintiff's motion, the Court entered defaults against Mario Hodge and Tanesha Hodge a/k/a Tenesha Hodge. The Plaintiff thereafter moved for default judgments against all of the Named Defendants.

The record does not reflect whether Falero died testate or intestate, or whether Falero's estate was submitted to probate. Nor does the record reflect whether Falero's heirs have been ascertained. The record also does not indicate who currently possesses legal title to the Property. Consequently, the Court ordered the parties to file briefs with the Court, with citations to appropriate statutory and case law, addressing (1) the status of the Property in light of certain provisions of the Virgin Islands Code, and (2) what effect, if any, those provisions have on the liability of Falero's heirs under the Obligations.

In response to that order, the Plaintiff has filed a motion to stay this action, asserting that it is "in the process of obtaining further information regarding the ESTATE OF JULIE E. FALERO a/k/a JULIE FALERO, a/k/a JULIE E. HARRIGAN and for the filing of a Probate action."¹ (Pl.'s Mot. to Stay Action 1.)

¹ No other party filed a brief.

The premises considered, it is hereby

ORDERED that the motion is **GRANTED**; it is further

ORDERED that the above-captioned action is **STAYED** for thirty days from the date of this Order; it is further

ORDERED that no later than one week after the expiration of the thirty-day stay, the Plaintiff shall file a notice with the Court indicating whether it intends to pursue this action; and it is further

ORDERED that a failure by the Plaintiff to file such a notice may result in the dismissal of this matter without prejudice.

Dated: February 15, 2008

S_____
CURTIS V. GÓMEZ
Chief Judge

Copies to: Flavia E. Logie, Esq.
Aubrey Harrigan, *Pro se*
Mario Hodge, *Pro se*
Tasha Hodge, *Pro se*
Tangenique Hodge, *Pro se*
Rudel Hodge, *Pro se*
Tanesha Hodge a/k/a Tenesha Hodge, *Pro se*